

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: Colette Shell

Christopher M. Carey (P51527)
Dario Ianni (P67517)
CAREY LAW GROUP, PC
Attorneys for Debtor(s)

Chapter 13
Case No. 21-42094-G
Judge Gretchko

OBJECTION TO PROOF OF CLAIM NUMBER 14 FILED BY MICHIGAN DEPARTMENT OF TREASURY

Debtor through counsel, the Carey Law Group, PC, states as follows in support of this objection:

1. This case was filed on March 12, 2021.
2. The plan herein was confirmed on May 26, 2021.
3. Creditor, Michigan Department of Treasury, filed a Proof of Claim that overstates the debtor's Priority liability. Debtor filed her 2020 State of Michigan Income Tax Return and had a liability that was only \$610. The State's claim anticipates a liability of \$5,000 for the 2020 tax year.

WHEREFORE, Debtor objects to the Proof of Claim filed by Michigan Department of Treasury..

Date: September 29, 2021

/s/ Christopher M. Carey (P51527)

Attorney for Debtor
23930 Michigan Ave
Dearborn, MI 48124
ecf@careylawgroup.net
(313) 274-2999

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ORDER ADJUSTING CLAIM NUMBER 14 FILED BY MICHIGAN DEPARTMENT OF TREASURY

An objection having been filed pursuant to LBR 3007-1; and all necessary parties having been given adequate notice thereto and adequate notice to respond or object; and no party having otherwise responded or objected; NOW THEREFORE,

IT IS HEREBY ORDERED the claim of Michigan Department of Treasury is adjusted as follows:

- I. Michigan Department of Treasury shall have a Priority Unsecured Claim in the amount of \$5,269.10, and,
- II. Michigan Department of Treasury shall have a General Unsecured Claim in the amount of \$1,070.00.

EXHIBIT "A"

UNITED STATES BANKRUPTCY COURT
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NOTICE OF OBJECTION TO PROOF OF CLAIM NUMBER 14 FILED BY MICHIGAN DEPARTMENT OF TREASURY

Debtor has filed with the court an objection to your claim.

Your claim may be reduced, modified or denied. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (if you do not have an attorney, you may wish to consult one.)

If you do not want the court to deny or change your claim, then on or before October 28, 2021, you or your attorney must:

1. File with the court a written response to the objection, explaining your position at:¹

United States Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to:

The Carey Law Group, P.C.
23930 Michigan Avenue
Dearborn MI 48124

David Wm. Ruskin
Chapter 13 Standing Trustee
26555 Evergreen Rd.
Suite 1100
Southfield, MI 48076

2. Attend the hearing on the objection, scheduled to be held on November 4, 2021 at 10:00 a.m. in the courtroom of Judge Shefferly, United States Bankruptcy Court, 211 W. Fort St, Detroit, Michigan, unless your attendance is excused by mutual agreement between yourself and the objector's attorney. (Unless the matter is disposed of summarily as a matter of law, the hearing shall be a pre-trial conference only; neither testimony nor other evidence will be received. A pre-trial scheduling order may be issued as a result of the pre-trial conference.)

If you or your attorney do not take these steps, the Court may deem that you do not oppose the objection to your claim, in which event the hearing will be canceled, and the objection sustained.

Date: September 29, 2021

/s/ Christopher M. Carey (P51527)

Attorney for Debtor
23930 Michigan Avenue
Dearborn MI 48124
Telephone: (313)274-2999
email: ecf@careylawgroup.net

¹Response or answer must comply with F.R.Civ. P. 8(b), (c) and (e)
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PROOF OF SERVICE

I hereby certify under penalty of perjury that on September 29, 2021, I served a copy of the following documents:

OBJECTION TO PROOF OF CLAIM OF STATE OF MICHIGAN
(Proposed) ORDER ADJUSTING CLAIM NUMBER 14 FILED BY MICHIGAN DEPARTMENT OF TREASURY
NOTICE OF OBJECTION TO PROOF OF CLAIM OF STATE OF MICHIGAN

Upon the attached address matrix in this case, as well as upon:

David Wm Ruskin
Chapter 13 Trustee
26555 Evergreen Rd Ste 1100
Southfield, MI 48076-4251

Michigan Department of Treasury
Bankruptcy Unit
P.O. Box 30168
Lansing, MI 48909

Brittany Jones
Assistant Attorney General
Cadillac Place
3030 W. Grand Blvd., Suite 10-200
Detroit, MI 48202

all by first class mail.

Date: September 29, 2021

/s/ Christopher M. Carey (P51527)

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Dearborn MI 48124
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email: ecf@careylawgroup.net